

Original

AYABE CHONG NISHIMOTO
SIA & NAKAMURA

SIDNEY K. AYABE 968-0
RONALD T. MICHIOKA 7790-0
1003 Bishop Street, Pauahi 2500
Honolulu, Hawai'i 96813
Telephone: 537-6119
Facsimile: 526-3491
E-mail: sidney.ayabe@hawadvocate.com
ronald.michioka@hawadvocate.com

Attorneys for the Real Estate Commission
on matters relating to the Real Estate
Recovery Fund

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 21 2008
at 8 o'clock and 10 min. M.
SUE BEITIA, CLERK

LODGED

MAR 19 2008
11:30 AM
CLERK, U.S. DISTRICT COURT
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

HARRY SAMELSON and DAN	)	CIVIL NO. CV-00-00564 (KSC)
ROKOVITZ,	)	(Contract)
)	
Plaintiffs,	)	EX PARTE MOTION FOR
	)	GARNISHEE SUMMONS AFTER
vs.	)	JUDGMENT; DECLARATION OF
	)	RONALD T. MICHIOKA;
KAREN JEFFERY dba PACIFIC	)	EXHIBITS "A" TO "D"; ORDER
ISLAND INVESTMENTS; DOE	)	FOR ISSUANCE OF GARNISHEE
DEFENDANTS 1-20; DOE	)	SUMMONS AFTER JUDGMENT;
CORPORATIONS 1-20; DOE	)	GARNISHEE SUMMONS AND
PARTNERSHIPS 1-20; DOE	)	ORDER
GOVERNMENTAL AGENCIES 1-)	
20; DOE AGENCIES 1-20; and	)	JUDGMENT DATE: SEPTEMBER
OTHER ENTITIES 1-20,	)	18, 2001
)	
Defendants.)	


[2001631 \ 362376]

EX PARTE MOTION FOR
GARNISHEE SUMMONS AFTER JUDGMENT

The Real Estate Commission ("REC") for the State of Hawaii, by and through its attorneys for matters relating to the Real Estate Recovery Fund ("RERF"), Ayabe Chong Nishimoto Sia & Nakamura, hereby moves this Court, *ex parte*, for issuance of a Garnishee Summons herein directed to Garnishee Travelers Casualty and Surety Company of America, directing them to appear and disclose under oath, as required by law, whether they at the time of service of said Summons had or expected to have (1) any of the goods or effects of Judgment Debtor KAREN JEFFERY and, if so, the nature, amount and value of same; or (2) whether it was or is indebted to Judgment Debtor KAREN JEFFERY, and if so, the nature and amount of such debts; or (3) whether it had any monies of Judgment Debtor KAREN JEFFERY in its possession, and if so, the amount thereof; or (4) whether Judgment Debtor KAREN JEFFERY was owed or expected to be owed any wages, salary, stipend, commissions, annuity, or net income under a trust, and if so, the amounts or rates thereof.

This Motion is made pursuant to Rule 69 of the Federal Rules of Civil Procedure and Chapters 467 and 652 of the Hawai'i Revised Statutes ("HRS"), and is based upon the attached Declaration of Ronald T. Michioka, counsel for the REC, Exhibits "A" to "D", and the records and files herein.

DATED: Honolulu, Hawai'i, March 19, 2008.

A handwritten signature in black ink, appearing to read "Sidney K. Ayabe", is written over a horizontal line.

SIDNEY K. AYABE

RONALD T. MICHIOKA

Attorneys for the Real Estate Commission
on matters relating to the Real Estate
Recovery Fund